

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

IN RE:

**GARY V. ST. CLAIR
INA I. ST. CLAIR**

Debtors

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CASE NO. 09-60792-rbk-13

(Chapter 13)

AMENDED OBJECTION TO CLAIM

**THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR
INTEREST. IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY (20) DAYS
FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE
GRANTED WITHOUT A HEARING BEING HELD.**

A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

GARY V. ST. CLAIR and INA I. ST. CLAIR, Debtors filed for protection under Chapter 13 of the United States Bankruptcy Code on July 6, 2009.

1. EMC Insurance Companies filed a claim, which is attached, dated July 27, 2009.
The claim states that it is a Secured claim in the amount of \$32,149.03.
2. Debtors object to the filing of this claim where as this is not a secured claim. The company did get a default judgment, but a Motion for New Trial was timely filed. The attorneys for the creditors agreed to the Motion for New Trial. The judgment has not been abstracted at the time of filing of the bankruptcy petition.
3. Debtors dispute that this claim is a valid debt. Debtors request that proof of negligence occurred. Debtors deny being negligent.
4. The attorney for the Creditor states the Debtors had agreed to join Central Freight Line into the suit. The Debtors failed to do so and 90 days have expired and the default judgment is now proper. He agreed the judgment has not been abstracted. He would agree to withdraw his claim if the Debtors assign their cause of action to his client.
5. The Debtors agree to assign this cause of action to EMC Insurance agency and assist in the prosecution of the case.

6. Debtors would state to the Court they were tenants in the building which burned and even though they had no insurance on the property, they had minimal financial loss. The assignment of this Claim would not significantly harm the unsecured creditors.

WHEREFORE the Debtors object to the claim filed by the Creditor and the Debtor's pray to the Court the claim should be classified as an unsecured claim without priority or the Court would allow the assignment of this claim against Central Freight Line to EMC Insurance Company to resolve this issue as an agreement between the creditor and the debtors.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Frank Steelman", written over a horizontal line.

Frank Steelman
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was forwarded on this 28 day of September 2009, by United States First-class mail to the following:


Frank Steelman

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